



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x
:
GERALD FOREMAN,
:
Plaintiff,
:
- against -
:
ERIC S. ORZICK et al.,
:
Defendants,
:
- - - - -x

ORDER
07 Civ. 3839 (DC)

CHIN, D.J.

Pro se Plaintiff Gerald Foreman filed this prisoner § 1983 action on May 16, 2007. On October 12, 2007, I issued an order, advising plaintiff that if he did not file an affidavit of service with the Court attesting to service of the summons and complaint on the defendant by November 12, 2007, the above-captioned action would be dismissed without prejudice. The order was returned unopened on October 25, 2007, as plaintiff was no longer located at his address of record. The Court was subsequently informed by the Pro Se office that plaintiff had been discharged and had not provided the Court an updated address. Successive attempts to obtain plaintiff's current address have been unsuccessful. As plaintiff has failed to update his address or file an affidavit of service with the

Court, it is HEREBY ORDERED that the above-captioned action is dismissed without prejudice in accordance with Fed. R. Civ. P. 4(m).

SO ORDERED.

Dated: New York, New York
August 25, 2008



DENNY CHIN
United States District Judge